

Application No: 10/539,941
Amendment C
Reply to Office action of 08/31/2007

Attorney Docket No: 3926.177

REMARKS

Claims 1-7, 11, and 13 are pending in the application. Claims 1-7 have been amended. Claims 8-9 have been previously cancelled. Claims 10 and 12 have now been cancelled.

Claim Rejections - 35 U.S.C. § 112

Claims 2-6 and 10 are rejected under 35 USC 112, second paragraph, as being indefinite.

More specifically, the Examiner has stated that claims 2-6 provide for the use of carrier units, but since the claim does not set forth any steps involved in the method/process, it is unclear whether the structure recited is required by the method. The Examiner has also stated that the phrase "and/or" in claim 10, line 2 renders the claims indefinite.

Appropriate correction has been made. More specifically, claims 2-6 have been amended to recite steps and claim 10 has been amended to avoid using the phrase "and/or".

Claim Rejections - 35 U.S.C. § 103

Claims 1-7 and 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scholz in view of Kirsten.

The Examiner has stated that Scholz discloses all the limitations of claims 1 and 7 except adjusting the intervals or distances. The Examiner has then stated that Kirsten discloses a method comprising adjusting intervals between the carrier units in a transport direction (column 3, line 36) and adjusting the distance between the carrier elements in a direction transverse to the transport direction (column 3, line 1) such that carrier units can accommodate articles of different widths and configurations (column 1, line 15).

Although Applicants believe that that there is no motivation to combine these two
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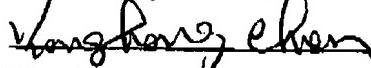
references because they are in different fields of endeavor (one concerns a transferring apparatus and one concerns a packing machine), claims 1 and 7 have been amended to even more clearly define the present invention. More specifically, claims 1 and 7 have been amended to recite that at least one of the number and the design construction of the carrier elements (26) used in a carrier unit (16) can be varied as a function of the geometric shape of a bodywork panel (12) and that the transport device is an inclined transport device with an adjustable transport direction (14) (see original claims 10 and 12). Applicants believe that these limitations are not disclosed by any of the cited references.

Claims 1 and 7 are, therefore, believed to be patentable over the cited prior art and since all of the dependent claims are ultimately dependent on claims 1 or 7, they are believed to be patentable as well.

The Commissioner is hereby authorized to charge any fees which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account Number 50-0951.

Favorable consideration and early issuance of the Notice of Allowance are respectfully requested. Should further issues remain prior to allowance, the Examiner is respectfully requested to contact the undersigned at the indicated telephone number.

Respectfully submitted,



Yonghong Chen (Registration No. 56,150)
Akerman Senterfitt
Customer No. 30448
222 Lakeview Avenue, Suite 400
West Palm Beach, FL 33401
Phone: 561-653-5000
Fax: 561-659-6313

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